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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,074	11/26/2001	Ulrich Fotheringham	WEI0028 4535	
7590 07/02/2004		EXAMINER		
Baker & Daniels 111 East Wayne Street Suite 800 Fort Wayne, IN 46802			LOPEZ, CARLOS N	
			ART UNIT	PAPER NUMBER
			1731	
		DATE MAILED: 07/02/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Externations of time may be available under the provisions of 3° CFR 1.13(d), in no event, however, may a reply be timely filled  If the period for reply specified above is least than thirty (30) days, a reply white the statulatory maintain or birty (30) days, will be considered treely.  If the period for reply specified above is least than thirty (30) days, a reply white the statulatory maintain or birty (30) days, a reply white the period for reply specified above is least than thirty (30) days, a reply white the statulatory maintain or birty (30) days, a reply white the statulatory maintain or birty (30) days will be considered treely.  If the period for reply specified above is least than thirty (30) days, a reply white the statulatory maintain or the mailing date of this communication.  Fallow to reply specified above the mailing date of the communication is the mailing date of this communication.  Fallow to reply specified and the statulation of the mailing date of the communication.  Application is private.  Disposition of Claims  4) Responsive to communication(s) filled on		Application No.	Applicant(s)				
Carlos Lopez  The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the period for reply specified above is test than titry (30) days, a reply white in the statistic minimum of thely (30) days will be considered freely and show 30 (s) dividerable with the correction of the proof of the reply specified above is test than titry (30) days, a reply white the statistic minimum of thely (30) days will be considered freely and show 30 (s) days will be considered freely and show 30 (s) days will be considered freely and show 30 (s) days will be considered freely and show 30 (s) days will be considered freely and show 30 (s) days will be considered freely will be shown to the show 30 (s) days will be considered freely and 50 (s) days will be considered freely and 50 (s) days will be shown to the show 50 (s) days will be considered freely will be shown to the show 50 (s) days will be considered freely and 50 (s) days will be considered freely and 50 (days will be considered freely will be shown to the show 50 (days will be considered freely and 50 (days will be considered freely and 50 (days will be considered freely and 50 (days will be considered freely will be supported to the show 50 (days will be considered freely and 50 (days will be seen the shown of the show 50 (days will be considered freely will be seen the shown of the sho		09/937,074	FOTHERINGHAM ET AL.				
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2a)  This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are ejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-24 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: allowed accepted or bi objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Roplacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of References Cited (PTO-892) 2) Paper No(s)/Mail Date. 5) Paper No(s)/Mail Date. 5) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152)	Status						
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## **DETAILED ACTION**

## Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-17, drawn to a method for producing glass-ceramic parts.

Group II, claim(s) 18-24, drawn to an infrared radiation device.

The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The special technical feature of radiation acting indirectly on the glass blank /or the glass-ceramic blank of more than 50% of the total radiation output is not shared by groups I and II. Group II claims are directed to device having no means for providing radiation acting indirectly on the glass blank /or the glass-ceramic blank of more than 50% of the total radiation output. The limitation of "for carrying out the method as per claim 1" is being considered as an intended use of the device, hence not limiting the claimed device per se.

A telephone call was made to John Hoffman on 6/18/04 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lopez whose telephone number is 571.272.1193. The examiner can normally be reached on Mon.-Fri. 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571.272.1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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